

SEC. 2. Section 14-52 of the General Statutes of North Carolina is hereby rewritten so as to read as follows:

G. S. 14-52,
amended.

"SEC. 14-52. Punishment for burglary. Any person convicted, according to due course of law, of the crime of burglary in the first degree shall suffer death: *Provided*, if the jury when rendering its verdict in open court shall so recommend, the punishment shall be imprisonment for life in the State's prison, and the court shall so instruct the jury. Anyone so convicted of burglary in the second degree shall suffer imprisonment in the State's prison for life, or for a term of years, in the discretion of the court."

Punishment for
burglary in the
first degree.

Imprisonment for
life, upon recom-
mendation of jury.

Punishment for
burglary in second
degree.

SEC. 3. Section 14-58 of the General Statutes of North Carolina is hereby rewritten so as to read as follows:

G. S. 14-58,
amended.

"SEC. 14-58. Punishment for arson. Any person convicted according to due course of law of the crime of arson shall suffer death: *Provided*, if the jury shall so recommend, at the time of rendering its verdict in open court, the punishment shall be imprisonment for life in the State's prison, and the court shall so instruct the jury."

Punishment for
arson.

Imprisonment for
life, upon recom-
mendation of jury.

SEC. 4. Section 14-21 of the General Statutes of North Carolina is hereby rewritten so as to read as follows:

G. S. 14-21,
amended.

"SEC. 14-21. Punishment for rape. Every person who is convicted of ravishing and carnally knowing any female of the age of twelve years or more by force and against her will, or who is convicted of unlawfully and carnally knowing and abusing any female child under the age of twelve years, shall suffer death: *Provided*, if the jury shall so recommend at the time of rendering its verdict in open court, the punishment shall be imprisonment for life in the State's prison, and the court shall so instruct the jury."

Punishment for
rape.

Imprisonment for
life, upon recom-
mendation of jury.

SEC. 5. This Act shall be in full force and effect from and after its ratification, not excepting trials for offenses committed prior to its ratification.

Offenses commit-
ted prior to ratifi-
cation of Act.

In the General Assembly read three times and ratified, this the 11th day of March, 1949.